

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP

MARC E. KASOWITZ
DIRECT DIAL: 212-506-1710
MKASOWITZ@KASOWITZ.COM

1633 BROADWAY
NEW YORK, NEW YORK 10019-6799
212-506-1700
FACSIMILE: 212-506-1800

ATLANTA
HOUSTON
LOS ANGELES
MIAMI
NEWARK
SAN FRANCISCO
SILICON VALLEY
WASHINGTON, DC

September 23, 2014

BY HAND

The Honorable Denise L. Cote
United States District Court for the
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007-1312

EMAIL
ELECTRONICALLY

9/29/2014

D&F
9/29/14

Re: *In re Application of The Coalition To Protect Clifton Bay*, No. 14 MC 258 (S.D.N.Y.)

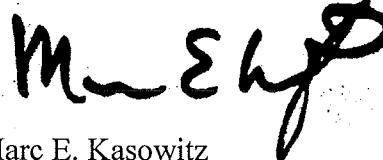
Dear Judge Cote:

We write pursuant to Your Honor's September 17, 2014 Memo Endorsed Order, in which the Court directed the parties to submit a proposed order addressing the Court's rulings in the September 17 Order. Accordingly, enclosed please find (1) a Proposed Order to Strike, attached hereto as Exhibit A; and (2) unredacted copies of the pages of the relevant submissions that will be filed publicly with redactions -- in accord with the September 17 Order -- for filing under seal, attached hereto as Exhibits B-G. Petitioners do not object to the Proposed Order.

Further, as reflected in the Proposed Order to Strike in Exhibit A, the Nygård Parties respectfully request permission to file publicly a copy of our September 10, 2014 letter with footnote 12 on page 11 and exhibit B unredacted (except for the names of any non-parties to this action, which should remain redacted). In our September 16, 2014 letter to the Court concerning the parties' proposed redactions, the Nygård Parties originally agreed to the redaction of that footnote and exhibit, but did so only because we also sought the redaction of related materials concerning Mr. Feralio's purported fear of retaliation. The Court denied the Nygård Parties' request in the September 17 Order. In light of that ruling, the Nygård Parties respectfully submit that footnote 12 on page 11 and exhibit B of our September 10, 2014 letter should also be filed in an unredacted form. Petitioners do not object to this request.

Thank you for consideration of these matters.

Respectfully,


Marc E. Kasowitz

cc: Counsel for Petitioners (by e-mail)
Counsel for Stephen J. Feralio (by e-mail)